

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**ADRIAN HOYLE**

**PLAINTIFF**

**VS.**

**CIVIL ACTION NO.: 3:21-CV-00171-NBB-RP**

**CITY OF HERNANDO, ET AL.**

**DEFENDANTS**

**UNOPPOSED MOTION FOR EXTENSION OF TIME**

Defendants the City of Hernando, Scott Worsham, in his official capacity as Chief of Police of the Hernando Police Department, and Officer Lynn Brown, individually and in his official capacity as a Hernando Police Officer, (“Municipal Defendants”) respectfully move the Court for an extension of time in which to answer or otherwise respond to Adrian Hoyle’s (“Plaintiff”) Complaint. In support of their Motion, Municipal Defendants would show as follows:

1. Plaintiff filed this lawsuit on July 30, 2021. *See* Doc. No. 1.
2. Municipal Defendants were served with this lawsuit on or about August 2, 2021.

Accordingly, a response is currently due August 23, 2021.

3. Due to allegations made in the complaint that will require investigation by undersigned counsel, and due to other pending matters that require undersigned counsel’s attention, an extension is necessary. Therefore, Municipal Defendants respectfully request a forty (40) day extension up to and through October 4, 2021,<sup>1</sup> to answer or otherwise respond to Plaintiff’s Complaint.

4. This motion is not being made for the purpose of delay, but, rather, is needed to allow Municipal Defendants sufficient time to fully investigate the allegations of the Complaint

---

<sup>1</sup> The 40-day time period would end on Saturday, October 2, 2021. Accordingly, the responsive pleading would be due Monday, October 4, 2021. Fed. R. Civ. P. 6(1).

and prepare an answer or other responsive pleading. Plaintiff will not be prejudiced by such an extension of time.

5. Plaintiff's counsel was contacted and does not oppose Municipal Defendants' request for an extension of time to answer.

6. Given the nature of this request, Municipal Defendants ask that the requirement of a separate memorandum in support be waived.

For these reasons, Municipal Defendants the City of Hernando, Scott Worsham, in his official capacity as Chief of Police of the Hernando Police Department, and Officer Lynn Brown, individually and in his official capacity as a Hernando Police Officer, respectfully request a forty (40) day extension of time, up to and through October 4, 2021, to answer or otherwise respond to Plaintiff's Complaint.

THIS the 10<sup>th</sup> day of August, 2021.

Respectfully submitted,

PHELPS DUNBAR LLP

BY: s/ Mallory K. Bland  
G. Todd Butler MS Bar No.: 102907  
Mallory K. Bland MS Bar No. 105665  
4270 I-55 North  
Jackson, Mississippi 39211-6391  
Telephone: 601-352-2300  
Facsimile: 601-360-9777  
Email: [butlert@phelps.com](mailto:butlert@phelps.com);  
[mallory.bland@phelps.com](mailto:mallory.bland@phelps.com)

***Attorneys for the City of Hernando, Scott  
Worsham, in his official capacity as Chief  
of Police of Hernando Police Department  
and Officer Lynn Brown, individually and  
in his official capacity as a Hernando  
Police Officer***

**CERTIFICATE OF SERVICE**

I certify that I have this day electronically filed this motion with the Clerk of the Court, using the CM/ECF system, which sent notification to the following counsel of record:

Martin Zummach  
SPARKMAN-ZUMMACH  
7125 Getwell Road, Suite 201  
Southaven, MS 38671  
Telephone: (662) 349-6900  
Facsimile: (662) 349-6800  
martin@sparkman-zummach.com

***ATTORNEY FOR PLAINTIFF***

This the 10<sup>th</sup> day of August, 2021.

*s/ Mallory K. Bland*

Mallory K. Bland